

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of:

NUMBERING RESOURCE	)	CC Docket No. 99-200
OPTIMIZATION	)	

**KENTUCKY PUBLIC SERVICE COMMISSION  
REPLY COMMENTS**

The Kentucky Public Service Commission ("KPSC") hereby replies to comments filed by BellSouth Corporation ("BellSouth") in this proceeding. These reply comments address two issues referenced by BellSouth.

On June 27, 2001, the KPSC filed a petition seeking delegated authority to implement thousands-block number pooling in the 270 NPA. The Federal Communications Commission ("FCC") declined to address our petition because of a national rollout proposal. However, one comment made by BellSouth calls into question the efficacy of relief to be afforded to the KPSC if BellSouth's interpretation of the FCC's March 31, 2000 Report and Order prevails.<sup>1</sup> BellSouth requests that the FCC "reaffirm its previous finding "that where an NPA encompasses areas both inside and ... outside of the qualifying MSA, pooling will be required only in those rate centers in the NPA which are a part of the MSA."<sup>2</sup> If BellSouth's position prevails, the 270 NPA, for which

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<sup>1</sup> Numbering Resource Optimization, CC Docket No. 99-200, FCC 00-104, Report and Order and Further Notice of Proposed Rule Making (rel. March 31, 2000) ("*First NRO Order*").

<sup>2</sup> Numbering Resource Optimization, CC Docket No. 99-200, BellSouth Comments, November 6, 2001, at 11, quoting *First NRO Order*, 15 FCC Rcd at 7645, ¶ 158.

NANPA has already sought relief in Kentucky, will only be affected by thousands-block number pooling in exchanges around Owensboro and Henderson, Kentucky. This is insufficient relief. The KPSC's goal in petitioning for interim delegated authority to implement thousands-block number pooling was to extend the life of the entire 270 NPA. Relief for only Owensboro and Henderson, portions of Western Kentucky, will not postpone the need for relief.

In a public notice released October 9, 2001, the FCC specifically stated that the KPSC did not need to file another petition requesting priority status on the national rollout schedule because it had such a petition pending.<sup>3</sup> This relief from filing a subsequent petition appeared to grant the KPSC the relief requested; however, if BellSouth's view extending relief to Henderson and Owensboro prevails, then the KPSC has been granted no relief at all. Thousands-block pooling should be provided in a timely fashion throughout the entire 270 NPA.

BellSouth asserts that there may be instances in which state commissions would desire to implement pooling in areas outside the top 100 MSAs.<sup>4</sup> BellSouth further notes that the FCC has provided a procedure to address this type of situation and that the FCC process allows a state commission the flexibility necessary to tailor pooling to meet the local needs of the state.<sup>5</sup> Moreover, BellSouth contends that "[f]or areas outside the top 100 MSAs, the Commission should schedule pooling on an as needed basis."<sup>6</sup>

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<sup>3</sup> FCC Public Notice, DA 01-2174, including NSD File No. L-01-149, (rel. October 9, 2001).

<sup>4</sup> Id. at 12.

<sup>5</sup> Id.

<sup>6</sup> Id. at 13.

The KPSC supports BellSouth's comments to the extent that BellSouth acknowledges a need for the FCC to be flexible in rolling out thousands-block number pooling in areas outside of the top 100 MSAs. Most of the 270 NPA is, in fact, outside a top 100 MSA.

The second issue the KPSC addresses herein regards BellSouth's proposal that the FCC simply switch the 270 and 502 NPAs scheduled for pooling in Kentucky based on projected exhaust dates. The 270 NPA is currently scheduled for pooling in the September 15 to December 15, 2003 quarter. The 502 NPA is scheduled for relief in the December 15, 2002 to March 15, 2003 quarter. The substitution is proposed by BellSouth because the 270 NPA has an earlier projected exhaust date.<sup>7</sup> The KPSC highly recommends this substitution. However, unless the entire 270 NPA receives thousands-block number pooling relief, then this substitution will also fail to meet the KPSC's goal of averting 270 NPA relief.

The KPSC joins BellSouth in commending the FCC in its efforts to move forward with developing a national pooling schedule. However, unless the KPSC's needs for thousands-block number pooling relief are addressed, then Kentuckians will unnecessarily suffer a second area code change within a mere four years.

Respectfully submitted,

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Date: November 16, 2001

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<sup>7</sup> Id. at 19 and 20.

## **CERTIFICATE OF SERVICE**

I do hereby certify that I have this 16<sup>th</sup> day of November 2001 served the following parties to this action with a copy of the foregoing **KENTUCKY PUBLIC SERVICE COMMISSION REPLY COMMENTS** by electronic filing and/or by placing a true and correct copy of the same in the United States Mail, postage prepaid, addressed to the parties listed below.

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